

111TH CONGRESS  
2D SESSION

# H. R. 4072

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Received; read twice and referred to the Committee on Health, Education,  
Labor, and Pensions

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## AN ACT

To require that certain Federal job training and career education programs give priority to programs that provide an industry-recognized and nationally portable credential.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Manufac-  
3 turing Efficiency and Retraining Investment Collaboration  
4 Achievement Works Act” or the “AMERICA Works Act”.

5 **SEC. 2. INDUSTRY-RECOGNIZED AND NATIONALLY PORT-**  
6 **ABLE CREDENTIALS FOR JOB TRAINING PRO-**  
7 **GRAMS.**

8 (a) WORKFORCE INVESTMENT ACT OF 1998.—

9 (1) GENERAL EMPLOYMENT AND TRAINING AC-  
10 TIVITIES.—Section 134(d)(4)(F) of the Workforce  
11 Investment Act of 1998 (29 U.S.C. 2864(d)(4)(F))  
12 is amended by adding at the end the following:

13 “(iv) PRIORITY FOR PROGRAMS THAT  
14 PROVIDE AN INDUSTRY-RECOGNIZED AND  
15 NATIONALLY PORTABLE CREDENTIAL.—In  
16 selecting and approving training services,  
17 or programs of training services, under  
18 this section, a one-stop operator and em-  
19 ployees of a one-stop center referred to in  
20 subsection (c) shall give priority consider-  
21 ation to services and programs (approved  
22 by the appropriate State agency and local  
23 board in conjunction with section 122) that  
24 lead to a credential that is in high demand  
25 in the local area served and listed in the

1 registry described in section 3(b) of the  
2 AMERICA Works Act.”.

3 (2) YOUTH ACTIVITIES.—Section 129(c)(1)(C)  
4 of the Workforce Investment Act of 1998 (29 U.S.C.  
5 2854(c)(1)(C)) is amended—

6 (A) by redesignating clauses (ii) through  
7 (iv) as clauses (iii) through (v), respectively;  
8 and

9 (B) inserting after clause (i) the following:

10 “(ii) training (with priority consider-  
11 ation given to programs that lead to a cre-  
12 dential that is in high demand in the local  
13 area served and listed in the registry de-  
14 scribed in section 3(b) of the AMERICA  
15 Works Act, if the local board determines  
16 that such programs are available and ap-  
17 propriate);”.

18 (b) CAREER AND TECHNICAL EDUCATION.—

19 (1) STATE PLAN.—Section 122(c)(1)(B) of the  
20 Carl D. Perkins Career and Technical Education  
21 Act of 2006 (20 U.S.C. 2342(c)(1)(B)) is amended  
22 by striking the semicolon at the end and inserting  
23 the following: “and, with respect to programs of  
24 study leading to an industry-recognized credential or

1 certificate, will give priority consideration to pro-  
2 grams of study that—

3 “(i) lead to an appropriate (as deter-  
4 mined by the eligible agency) skills creden-  
5 tial (which may be a certificate) that is in  
6 high demand in the area served and listed  
7 in the registry described in section 3(b) of  
8 the AMERICA Works Act; and

9 “(ii) may provide a basis for addi-  
10 tional credentials, certificates, or degrees;”.

11 (2) USE OF LOCAL FUNDS.—Section 134(b) of  
12 the Carl D. Perkins Career and Technical Education  
13 Act of 2006 (20 U.S.C. 2354(b)) is amended—

14 (A) in paragraph (11), by striking “; and”  
15 and inserting a semicolon;

16 (B) in paragraph (12)(B), by striking the  
17 period and inserting “; and”; and

18 (C) by adding at the end the following:

19 “(13) describe the career and technical edu-  
20 cation activities supporting the attainment of indus-  
21 try-recognized credentials or certificates, and how  
22 the eligible recipient, in selecting such activities,  
23 gave priority consideration to activities supporting  
24 high-demand registry skill credentials described in  
25 section 122(c)(1)(B)(i).”.

1           (3)       TECH-PREP       PROGRAMS.—Section  
2       203(c)(2)(E) of the Carl D. Perkins Career and  
3       Technical Education Act of 2006 (20 U.S.C.  
4       2373(c)(2)(E)) is amended by striking “industry-  
5       recognized credential, a certificate,” and inserting  
6       “industry-recognized credential or certificate (such  
7       as a high-demand registry skill credential described  
8       in section 122(c)(1)(B)(i)),”.

9   **SEC. 3. SKILL CREDENTIAL REGISTRY.**

10       (a) DEFINITIONS.—In this section:

11           (1) COVERED PROVISION.—The term “covered  
12       provision” means any of sections 129 and 134 of the  
13       Workforce Investment Act of 1998 (29 U.S.C. 2854,  
14       2864) and section 122(c)(1)(B) of the Carl D. Per-  
15       kins Career and Technical Education Act of 2006  
16       (20 U.S.C. 2342(c)(1)(B)).

17           (2) INDUSTRY-RECOGNIZED.—The term “indus-  
18       try-recognized”, used with respect to a credential,  
19       means a credential that—

20           (A) is sought or accepted by companies  
21       within the industry sector involved as recog-  
22       nized, preferred, or required for recruitment,  
23       screening, or hiring; and

1 (B) is endorsed by a nationally recognized  
2 trade association or organization representing a  
3 significant part of the industry sector.

4 (3) **NATIONALLY PORTABLE.**—The term “na-  
5 tionally portable”, used with respect to a credential,  
6 means a credential that is sought or accepted by  
7 companies within the industry sector involved, across  
8 multiple States, as recognized, preferred, or required  
9 for recruitment, screening, or hiring.

10 (4) **WORKFORCE INVESTMENT ACTIVITIES.**—  
11 The term “workforce investment activities” has the  
12 meaning given the term in section 101 of the Work-  
13 force Investment Act of 1998 (29 U.S.C. 2801).

14 (b) **REGISTRY.**—

15 (1) **IN GENERAL.**—Not later than 120 days  
16 after the date of enactment of this Act, the Sec-  
17 retary of Labor (referred to in this section as the  
18 “Secretary”) shall create a registry of skill creden-  
19 tials (which may be certificates), for purposes of en-  
20 abling programs that lead to such a credential to re-  
21 ceive priority under a covered provision.

22 (2) **REGISTRY.**—The Secretary shall—

23 (A) list the credential in the registry if the  
24 credential is required by Federal or State law  
25 for an occupation (such as a credential required

1 by a State law regarding qualifications for a  
2 health care occupation);

3 (B) list the credential in the registry if the  
4 credential is a credential from the Manufac-  
5 turing Institute-Endorsed Manufacturing Skills  
6 Certification System; and

7 (C) list the credential, and list an updated  
8 credential, in the registry if the credential in-  
9 volved is an industry-recognized, nationally  
10 portable credential that is consistent with the  
11 Secretary's established industry competency  
12 models and is consistently updated through  
13 third party validation to reflect changing indus-  
14 try competencies.

15 (c) RULE OF CONSTRUCTION.—Nothing in this Act  
16 shall be construed to require an entity with responsibility  
17 for selecting or approving an education, training, or work-  
18 force investment activities program with regard to a cov-  
19 ered provision, to select a program with a credential listed  
20 in the registry described in subsection (b).

1    **SEC. 4. EFFECTIVE DATE.**

2        This Act, and the amendments made by this Act, take  
3 effect 120 days after the date of enactment of this Act.

Passed the House of Representatives September 29,  
2010.

Attest: LORRAINE C. MILLER,  
*Clerk.*